

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 59, 61-66, 68-73, and 75-79, and 81-83 are pending in the application, with claims 59, 66, 73, 81, and 83 being the independent claims. Claims 59, 66, 73, 81, and 83 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Entry of Amendment After Final

Based on the telephone interview held on February 24, 2010 in the related case having Application Serial No. 11/513,163 between the Examiner and Applicants' representatives, and subsequent allowance thereof, the instant claims have been amended to include at least the subject matter found by the Examiner to be allowable.

Support for the proposed amendments is found, *inter alia*, at paragraph [0073] of U.S. Patent Application Publication No. 2002/0072918 (p. 42, ll. 2-5 of the as-filed Specification).

As the foregoing amendment is believed to place the claims in condition for allowance based on the Examiner's findings in the '163 application, Applicants respectfully request the entry thereof after Final. The Examiner is invited to contact the

undersigned should any further amendment or discussion be necessary to place the claims in condition for allowance.

Rejections under 35 U.S.C. § 112

Rejection of claims 59, 61-66, 68-73, 75-79, 81, and 83 under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 59, 61-66, 68-73, 75-79, 81, and 83 under 35 U.S.C. § 112, second paragraph, for allegedly lacking antecedent basis for the term "the additional input." Applicants seek to delete this claim language where it appears throughout the claims, thereby accommodating the rejection.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 59, 61-66, 68-73, 75-79, 81, and 83 under 35 U.S.C. § 112, second paragraph.

Rejection of claims 59, 61-66, 68-73, 75-79, 81, and 83 under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 59, 61-66, 68-73, 75-79, 81, and 83 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement with regard to the feature "updating the previously stored acoustic model based on the additional input." Applicants seek to delete this claim language, without acquiescing to the propriety of the rejection, thereby accommodating the rejection.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 59, 61-66, 68-73, 75-79, 81, and 83 under 35 U.S.C. § 112, first paragraph.

Rejections under 35 U.S.C. § 103

Claims 59, 63, 64, 66, 70, 71, 73, 77, 78, 81, and 83

The Examiner has rejected claims 59, 63, 64, 66, 70, 71, 73, 77, 78, 81, and 83 under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,956,683 to Jacobs et al. ("Jacobs") in view of U.S. Patent No. 5,946,658 to Miyazawa et al. ("Miyazawa"). Applicants respectfully traverse.

Claim 59 as amended recites, *inter alia*:

wherein the transceiver is further configured to transmit data to the device, responsive to the command, via the communication network using communication channels comprising:

a high bandwidth communication channel configured to transmit data supporting audio or video output at the device, and

a low bandwidth communication channel configured to transmit data supporting control signals for operation of a primary functionality component of the device

Jacobs and Miyazawa do not teach, suggest, or disclose at least the aforementioned features, particularly the use of high bandwidth communications *and* low bandwidth communications in the claimed manner (e.g., "a high bandwidth communication channel configured to transmit data supporting audio or video output at the local device" and "a low bandwidth communication channel configured to transmit data supporting control signals").

Accordingly, the Office Action has failed to establish a *prima facie* case of obviousness with regard to claims 59, 63, 64, 66, 70, 71, 73, 77, 78, 81, and 83. Applicants therefore respectfully request the reconsideration and withdrawal of the

rejection of claims 59, 63, 64, 66, 70, 71, 73, 77, 78, 81, and 83 under 35 U.S.C. § 103(a).

Claims 61, 62, 65, 68, 69, 72, 75, 76, and 79

The Examiner has rejected claims 61, 62, 65, 68, 69, 72, 75, 76, and 79 under 35 U.S.C. § 103(a) as allegedly being obvious over Jacobs in view of Miyazawa, further in view of U.S. Patent No. 5,774,859 to Houser et al. ("Houser"). Applicants respectfully traverse.

As noted above, Jacobs and Miyazawa do not teach or suggest each and every feature of claims 59, 66, 73, 81, and 83, and therefore do not render these claims obvious. Houser does not supply the missing features, and therefore claims 59, 66, 73, 81, and 83 are not rendered obvious by the combination of Jacobs, Miyazawa, and Houser. Claims 61, 62, 65, 68, 69, 72, 75, 76, and 79 depend from claims 59, 66, 73, 81, and 83 and are likewise not rendered obvious by the combination of Jacobs, Miyazawa, and Houser for at least the same reasons as claims 59, 66, 73, 81, and 83, and further in view of their own respective features.

Accordingly, the Office Action has failed to establish a *prima facie* case of obviousness with regard to claims 61, 62, 65, 68, 69, 72, 75, 76, and 79. Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 61, 62, 65, 68, 69, 72, 75, 76, and 79 under 35 U.S.C. § 103(a).

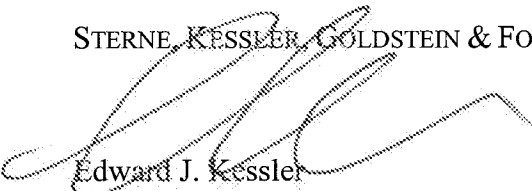
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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